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8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,

11 Respondent/Plaintiff,

12 v.

13 CLINTON SAKURAI,

14 Petitioner/Defendant.

Case No. 2:13-cr-00168-GMN-CWH-1

**STIPULATION TO DISMISS
MOTION TO VACATE WITHOUT
PREJUDICE PURSUANT TO
FED. R. CIV. PRO. 41(a)(1)(A)(ii)**

15
16 IT IS HEREBY STIPULATED AND AGREED, by and between counsel for the
17 Respondent, Appellate Chief and Assistant United States Attorney Elizabeth Olson White, and
18 counsel for the Petitioner, Sunethra Muralidhara, Assistant Federal Public Defender, that
19 Petitioner's Motion to Vacate, ECF No. 27, be dismissed pursuant to Fed. R. Civ. Pro.
20 41(a)(1)(A)(ii).

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1 In light of the fact that Defendant was released from custody on June 12, 2017, the
2 government consents to dismissal of his motion to vacate without prejudice.

3 DATED this 29th day of May, 2018.

4 RENE L. VALLADARES
5 Federal Public Defender

DAYLE ELIESON
United States Attorney

6 /s/ Sunethra Muralidhara
7 By _____
8 SUNETHRA MURALIDHARA
Assistant Federal Public Defender

/s/ Elizabeth Olson White
By _____
ELIZABETH OLSON WHITE
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,
4 Respondent/Plaintiff,
5 v.
6 CLINTON SAKURAI,
7 Petitioner/Defendant.
8

Case No. 2:13-cr-00168-GMN-CWH-1

**[PROPOSED] ORDER DISMISSING
MOTION TO VACATE WITHOUT
PREJUDICE AND VACATING
HEARING**

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10 Having received a stipulation to dismiss the Petitioner's Motion to Vacate, ECF No. 27.

11 IT IS HEREBY ORDERED that Petitioner's Abridged Motion to Vacate, ECF
12 No. 26, and Motion to Vacate, ECF No. 27, be DISMISSED WITHOUT PREJUDICE.
13 The Court does not make determination as to whether any future filing would be considered a
14 second or successive petition.

15 IT IS FURTHER ORDERED that the hearing scheduled for June 25, 2018 at 10:00 a.m.
16 in courtroom 7D, is VACATED.

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19 June 14, 2018

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21 GLORIA M. NAVARRO
22 UNITED STATES DISTRICT JUDGE
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